



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

SYNOPSIS OF EMERGENCY REGULATIONS

The following document provides synopses of emergency regulations received by the AELR Committee on the dates noted below. Please contact the issuing agency for copies of the text of emergency regulations. For more information, please contact Marie Razulis or Evan Isaacson at the number below.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
10-23-13	Re: Emergency/Proposed Regulation DLS Control No. 344-13 Department of Labor, Licensing, and Regulation: Maryland Racing Commission: Thoroughbred Rules: COMAR 09.10.01.07 The purpose of this action is to provide for a claim to be voided in the event a horse dies or is euthanized on the track.		

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10-23-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 343-13 Department of Labor, Licensing, and Regulation: Maryland Racing Commission: Harness Racing: COMAR 09.10.02.08</p> <p>The purpose of this action is to provide for a claim to be voided in the event a horse dies or is euthanized on the track.</p>		
10-18-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 340-13 Department of Health and Mental Hygiene: Maryland Health Care Commission: Maryland Medical Care Data Base and Data Collection: COMAR 10.25.06.01-.19</p> <p>The purpose of this action is to replace existing regulations governing the submission of health care claims and encounters to the commission with new regulations that expand the types of information collected as part of the Maryland Medical Care Data Base (MCDB) and the types of reporting entities that submit data. These revisions will allow the commission to provide a more complete picture of health care spending in Maryland.</p>		
10-10-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 322-13 Department of Health and Mental Hygiene: Health Services Cost Review Commission:</p>		

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	<p>Submission of Hospital Discharge Data Set to the Commission: COMAR 10.37.06.01</p> <p>The purpose of this action is to submit monthly patient level inpatient discharge data in the manner and format prescribed by the commission, and to enable the commission to fully monitor population-based metrics and approved revenue under population-based payment models. Additionally, these proposed regulations are to be effective on January 1, 2014 since they represent an essential component in the development and implementation of new rate regulatory approaches and policies that encompass quality and clinical care improvement elements.</p>		
10-10-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 321-13 Department of Health and Mental Hygiene: Health Services Cost Review Commission: Submission of Hospital Outpatient Data Set to the Commission: COMAR 10.37.04.01</p> <p>The purpose of this action is to require hospitals to submit monthly patient level outpatient visit data in the manner and format prescribed by the commission, and to enable the commission to fully monitor population-based metrics and approved revenue under population-based models. Additionally, these proposed regulations are to be effective on January 1, 2014 since they represent an essential component in the development and implementation of new rate regulatory approaches and</p>		

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	policies that encompass quality and clinical care improvement elements.		
10-2-13	<p>Re: Emergency/Proposed Regulations Control No. 316-13 Maryland State Lottery and Gaming Control Agency: Gaming Provisions: Video Lottery Facility Internal Control Standards: COMAR 36.03.10.29 Table Games: COMAR 36.05.04.02, .03, .06, and .13 Craps Rules: COMAR 36.05.05.02, .03, .04, .05, and .12</p> <p>The purpose of this action is to update the regulations of the Maryland State Lottery and Gaming Control Agency to incorporate provisions that better define and refine the requirements for VLT and Table Games operation and better conform to the agency's functions for expanded gambling.</p>		
9-26-13	<p>Re: Emergency Regulation DLS Control No. 299-13 State Board of Education: Local School Administration: General Financial Aid to Local School Systems: COMAR 13A.02.06.03</p> <p>With the recent passage of SB740, the College and</p>		

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	<p>Career Readiness and College Completion Act of 2013, some local school systems are planning to establish early college public school programs in which a student will be dually enrolled in the public school and an institution of higher education (IHE). Unlike most other dual enrollment programs in which the student takes courses at both the high school and the IHE, this dually enrolled student will attend the public school early college program full time and will take all his/her courses in that program. The student's full time enrollment in the public school early college program raised questions about full FTE State Aid payment to the local school system for that student. Specifically, under COMAR 13A.02.06.03, the Maryland State Department of Education required a school system to show that a dually enrolled student was taking at least one course at the public high school in order to receive a full FTE State Aid payment for that student. If no change is made to the regulations to allow full FTE State Aid Payment for such dually enrolled students, the development of robust public school early college programs would be restrained for lack of resources to do so. This would contrary to the intent of SB740. Local school systems must begin their planning now if such programs are to come to fruition in the 2014-2015 school year. Both MSDE and the LEAs interested in establishing these public school early college programs believe they will be of high value to students and in line with the intent and purpose of SB740. This amendment to the State Aid regulations will open the door to their development.</p>		

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9-20-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 296-13 Independent Agency: Maryland Energy Administration: Clean Energy Grant Program: COMAR 14.26.04.00-.13</p> <p>The purpose of this action is to establish and implement the Clean Energy Grant Program, a comprehensive grant program that is a part of the Administration's Strategic Energy Investment Program. The program offers to reimburse homeowners, businesses, State and local governments, and nonprofit organizations located in Maryland for a portion of the cost of purchasing, leasing, and installing eligible clean energy technologies or systems that convert renewable energy resources into electric energy, or thermal energy (<i>i.e.</i>, heating, cooling, steam, or hot water) or use renewable fuels (<i>i.e.</i>, solid, liquid, or gaseous fuels from renewable resources) to meet the energy demands of Maryland's homes and buildings.</p>		Emergency status beginning October 11, 2013, and expiring March 21, 2014.
9-13-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 288-13 Maryland Insurance Administration: Insurance Producers and Other Insurance Professionals: Procedures – Written Consent – Federal Law: COMAR 31.03.12.02-.03</p> <p>The purpose of this action is to give convicted felons who want to become Application Counselors the opportunity to apply for a 1033 waiver. Currently, an</p>		Emergency status beginning October 11, 2013, and expiring January 30, 2014.

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	individual who is a convicted felon may not become an Application Counselor. This regulation amendment proposes to afford individuals who have been convicted of a felony the opportunity to apply for a waiver of that requirement by submitting documentation to the Commissioner for review.		
9-10-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 276-13 Department of Health and Mental Hygiene: Procedures: Fair Hearing Appeals Under the Maryland State Medical Assistance Program: COMAR 10.01.04.01-.05, .08, .10, and .12</p> <p>The purpose of this action is to amend current regulations to expand and clarify Medicaid eligibility for Medicaid enrollees such as parents, children, childless adults, and pregnant women, so that regulations are consistent with provisions of the Maryland Health Progress Act of 2013 and of the federal Affordable Care Act, effective January 1, 2014.</p>		Emergency status beginning October 1, 2013, and expiring March 30, 2014.
9-6-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 274-13 Department of Health and Mental Hygiene: Dangerous Devices and Substances: Prohibition of Child Care Products Containing TCEP: COMAR 10.19.07.01-.04</p>		Emergency status beginning October 1, 2013, and expiring March 28, 2014.

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	<p>The purpose of this action is to establish regulations that prohibit the manufacture, sale, or distribution of child care products containing the flame-retardant chemical TCEP, also known as TRIS (2-chloroethyl) phosphate.</p>		
<p>9-5-13</p>	<p>Re: Emergency Regulation DLS Control No. 271-13 Department of Labor, Licensing, and Regulation:Racing Commission: Rewards to Breeders – Maryland-Bred Rules: COMAR 09.10.01.49</p> <p>The purpose of this action is to provide for the racing commission to approve the payment of increased breeder awards and increased stallion owner awards from the Maryland-Bred Race Fund by eliminating the payment of purse monies (other than for stakes races in which Maryland-bred horses participate) and owner awards from the Maryland-Bred Race Fund. This action is being proposed in conjunction with a proposed amendment to COMAR 09.10.10.14 (Purse Monies), which provides the racing commission with the discretion to direct that increased purse amounts be paid to Maryland-bred horses (as opposed to non-Maryland-bred horses), and thus to owners, trainers, and jockeys, finishing first, second, or third in all races other than claiming races with a price of under \$10,000 and stakes races. The intended result of these actions is to provide added incentives for breeders and stallion owners to operate in the State, and for individuals to purchase, and race, Maryland-bred horses in the State.</p>		<p>Emergency status beginning September 19, 2013, and expiring March 18, 2014.</p>

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9-5-13	<p>Re: Emergency Regulations DLS Control No. 270-13 Department of State Police: Weapons Regulations: Handgun Permit Unit: COMAR 29.03.02.01-.14</p> <p>The purpose of this action is to establish regulations for the issuance of handgun permits that comply with the Maryland Firearm Safety Act of 2013 that was introduced during the 2013 legislative session and signed into law with an effective date of October 1, 2013.</p>	<p>Public Hearing scheduled on September 23, 2013 at 1:00pm in the Joint Hearing Room, Legislative Services Building.</p>	<p>Emergency status beginning October 1, 2013, and expiring January 31, 2014.</p>
9-5-13	<p>Re: Emergency Regulations DLS Control No. 269-13 Department of State Police: Weapons Regulations: Regulated Firearms: COMAR 29.03.01.01-.58</p> <p>The purpose of this action is to establish regulations for the purchase of regulated firearms that comply with the Maryland Firearms Safety Act of 2013 that was introduced during the 2013 legislative session and signed into law with an effective date of October 1, 2013.</p>	<p>Public Hearing scheduled on September 23, 2013 at 1:00pm in the Joint Hearing Room, Legislative Services Building.</p>	<p>Emergency status beginning October 1, 2013, and expiring January 31, 2014.</p>
8-19-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 246-13 Department of State Police:</p>		

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	<p>Weapons Regulations: Handgun Permit Unit: COMAR 29.03.02.01-.14</p> <p>The purpose of this action is to establish regulations for the issuance of handgun permits that comply with the Maryland Firearm Safety Act of 2013 that was introduced during the 2013 legislative session and signed into law with an effective date of October 1, 2013.</p>		
8-19-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 245-13 Department of State Police: Weapons Regulations: Regulated Firearms: COMAR 29.03.01.01-.58</p> <p>The purpose of this action is to establish regulations for the purchase of regulated firearms that comply with the Maryland Firearms Safety Act of 2013 that was introduced during the 2013 legislative session and signed into law with an effective date of October 1, 2013.</p>		
8-8-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 222-13 Department of Public Safety and Correctional Services: Office of the Secretary: Inmate Welfare Fund: COMAR 12.11.09.02 and .05</p> <p>The purpose of this action is to update existing terminology to reflect current practices and add provisions for an Inmate Welfare Fund Board with oversight for management of inmate welfare funds.</p>		Emergency status beginning September 23, 2013, and expiring January 1, 2014.

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8-8-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 221-13 Department of Natural Resources: Fisheries Service: Shellfish Aquaculture and Leasing: COMAR 08.02.23.08</p> <p>The purpose of this action is to implement House Bill 306 to allow individuals to grow shellfish seed outside of a leased area when issued a Shellfish Nursery Permit by the department. These nurseries may be located on shore or in State waters. This regulation implements the restrictions pertaining to in-water structures used in shellfish nurseries, as delineated in House Bill 306, as well as additional restrictions the department believes are necessary for health and safety purposes. This action also sets the application fee for these permits at \$100. The Aquaculture Coordinating Council recommended a fee of \$100 or less. Finally, the action establishes reporting requirements and the penalties for failure to comply with the regulations.</p>		Emergency status beginning September 23, 2013, and expiring March 22, 2014.
8-7-13	<p>Re: Extension of Emergency Regulations DLS Control No. 218-13 Department of Natural Resources: Fisheries Service: Fish: COMAR 08.02.05.07 Endangered and Threatened Fish Species: COMAR 08.02.12.03</p> <p>The emergency needs to be extended because the proposed action implementing these changes will not be effective until September 3, 2013.</p>		Emergency status beginning August 29, 2013, and expiring September 2, 2013.

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8-2-13	<p>Re: Emergency Regulation DLS Control No. 215-13 Department of Natural Resources: Fisheries Service: Fish: COMAR 08.02.05.24</p> <p>The department requests emergency status because the industry has requested this regulation be in place for the fall fishery.</p>		Emergency status beginning August 27, 2013, and expiring February 23, 2014.
8-2-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 213-13 Department of Natural Resources: Wildlife: General Wildlife Hunting Regulations: COMAR 08.03.10.16</p> <p>The purpose of this action is to clarify when the new 300 yard safety zone around schools is in effect; the general assembly in 2013 expanded safety zones around public and private schools to 300 yards during school hours and at a time when a school-approved activity is taking place.</p>		Emergency status beginning October 1, 2013, and expiring January 31, 2014.
8-2-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 212-13 Department of Natural Resources: Wildlife: Open Seasons, Bag Limits for Game Birds and Game Animals: COMAR 08.03.03.01, .07, and .08</p> <p>The purpose of this action is to amend the 2013-2014</p>		Emergency status beginning October 1, 2013, and expiring January 31, 2014.

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	<p>hunting seasons for game birds and mammals in the State to be compliant with legislation passed during the 2013 General Assembly adding Sunday hunting opportunities in certain counties and spring turkey hunting in certain counties. The department is proposing to add Sundays for deer hunting in those counties, clarifying when a bonus antlered deer stamp is valid and expanding Sunday turkey hunting to public lands in Dorchester County.</p>		
8-2-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 211-13 Department of Natural Resources: Wildlife: General: COMAR 08.03.01.01</p> <p>The purpose of this action is to define school for the purposes of establishing a 300-yard safety zone around public and private schools within which hunting will not be allowed during school hours or at times when a school-approved activity is in effect.</p>		<p>Emergency status beginning October 1, 2013, and expiring January 31, 2014.</p>
8-1-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 208-13 Department of Public Safety and Correctional Services: Division of Correction: Visits to Inmates: COMAR 12.02.16.01-.08 Patuxent Institution: Visits to Inmates: COMAR 12.12.18.01-.08 Office of the Secretary: Visiting Individuals</p>		<p>Emergency status beginning August 1, 2013, and expiring December 31, 2013.</p>

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	<p>Confined in Correctional Facilities: COMAR 12.11.11.01-.15</p> <p>The purpose of this action is to repeal Regulations .01-.08 under COMAR 12.02.16 – Visits to Inmates, repeal Regulations .01-.08 under COMAR 12.12.18 – Visits to Inmates and create new Regulations .01-.15 in a new Chapter 11 under COMAR 12.11. This action updates, consolidates and standardizes inmate visiting procedures for Department of Public Safety and Correctional Services correctional facilities.</p>		
7-24-13	<p>Re: Emergency/Proposed Regulations Control No. 200-13 Maryland State Lottery and Gaming Control Agency: Table Games: Table Games Procedures: COMAR 36.05.03.15 Four Card Poker Rules: COMAR 36.05.09.12 Mississippi Stud Rules: COMAR 36.05.11.12</p> <p>The purpose of this action is to update the regulations of the State Lottery and Gaming Control Agency to incorporate provisions that better define table games operation and conform to the agency's functions for expanded gambling contained in Senate Bill 1 – 2012 second special session and passed by referendum on November 6, 2012.</p>		Emergency status beginning August 26, 2013, and expiring December 27, 2013.
7-22-13	Re: Extension of Emergency Regulations		Withdrawn.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>Control No. 194-13 Maryland State Lottery and Gaming Control Agency: Gaming Provisions: General: COMAR 36.03.01.01-.04 Investigating and Licensing: COMAR 36.03.02.01-.18 Video Lottery Operation License: COMAR 36.03.03.01-.09 Unannounced Inspections: COMAR 36.03.05.01-.03 Enforcement of Voluntary Exclusion Program: COMAR 36.03.06.01-.03 Mandatory Exclusion: COMAR 36.03.07.01-.08 Collection of Taxes, Fees, and Penalties: COMAR 36.03.08.01-.04 Junkets: COMAR 36.03.09.01 and .02 Video Lottery Facility Minimum Internal Control Standards: COMAR 36.03.10.01-.49 Facility Standards: COMAR 36.03.11.01-.08 Transportation and Testing of Video Lottery Terminals and Table Game Equipment: COMAR 36.03.12.01-.06</p> <p>Regulations have been submitted for final action on July 2, 2013. The agency is requesting a 60 day extension to allow for publication of final action.</p>		
7/22/13	Re: Emergency/Proposed Regulations		Emergency status beginning

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>DLS Control No. 193-13 Maryland Insurance Administration: Unfair Trade Practices: Advertisements of all Insurance Contracts Which Include any Accident, Sickness, Hospital, Surgical or Medical Coverages: COMAR 31.15.02.01, .06, .07, .11, .12, .15, .17, and .18 The purpose of this action is to update Maryland marketing standards to meet those set forth by the federal government in 45 CFR § 147.104(e) and to make nonsubstantive updates to the regulations.</p>		<p>September 19, 2013, and expiring December 2, 2013.</p>
7-17-13	<p>Re: Emergency/Proposed Regulations Control No. 183-13 Maryland State Lottery and Gaming Control Agency: Instant Bingo Machines in Anne Arundel and Calvert Counties: General: COMAR 36.07.01.01-.03 Application and Licensing: COMAR 36.07.02.01-.18 Instant Bingo Facility Standards: COMAR 36.07.03.01-.03 Instant Bingo Minimum Internal Control Standards: COMAR 36.07.04.01-.19 General Requirements: COMAR 36.07.05.01-.05 Technical Standards: COMAR 36.07.06.01-.10 Responsible Gaming: COMAR 36.07.07.01</p>		<p>Emergency status beginning August 26, 2013, and expiring January 25, 2014.</p>

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	<p>The purpose of this action is to update and reorganize the regulations of the State Lottery and Gaming Control Agency to incorporate provisions to better conform to the agency's functions and specifically for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012.</p>		
7-15-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 179-13 Maryland Insurance Administration: Insurance Producers and Other Insurance Professionals: Consolidated Services Center – SHOP Exchange Enrollment Permits: COMAR 31.03.17.01-.09</p> <p>The purpose of this action is to supply a method for employees of the Consolidated Services Center, which is operated by the Maryland Health Benefit Exchange, to obtain a SHOP Exchange Enrollment Permit as required by § 31-113.1 of the Insurance Article.</p>		Emergency status beginning September 19, 2013, and expiring December 2, 2013.
7-11-13	<p>Re: Emergency Regulations DLS Control No. 178-13 Department of Agriculture: Soil and water Conservation: Agricultural Operation Nutrient Management Plan Requirements: COMAR 15.20.07.02</p>		Withdrawn.

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	<p>Content and Criteria for a Nutrient Management Plan Developed for an Agricultural Operation: COMAR 15.20.08.05</p> <p>The purpose of this action is to have them in place by the upcoming fall growing season.</p>		
7-3-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 173-13 Department of Labor, Licensing, and Regulation: Racing Commission: Thoroughbred Rules: COMAR 09.10.01.14</p> <p>The purpose of this action is to provide the racing commission with the discretion to direct that increased purse amounts be paid to Maryland-bred horses (as opposed to non Maryland-bred horses) finishing first, second, or third in all races other than claiming races with a claiming price of under \$10,000 and stakes races. This action is being proposed in conjunction with proposed amendments to COMAR 09.10.01.49 (Rewards to Breeders – Maryland-Bred Rules), which provide for the commission to approve the payment of increased breeder awards and increased stallion owner awards from the Maryland-Bred Race Fund by eliminating the payment of purse monies (other than for stakes races in which Maryland-bred horses participate) and owner awards from the Maryland-Bred Race Fund. The intended result of these actions is to provide added incentives for breeders and stallion owners to operate in the State, and for individuals to purchase, and</p>		Withdrawn.

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	race, Maryland-bred horses in the State.		
7/3/13	<p>Re: Emergency/Proposed Regulation DLS Control No. 172-13 Department of Labor, Licensing and Regulation: Racing Commission: Thoroughbred Rules: COMAR 09.10.01.49</p> <p>The purpose of this action is to provide for the racing commission to approve the payment of increased breeder awards and increased stallion owner awards from the Maryland-Bred Race Fund by eliminating the payment of purse monies (other than for stakes races in which Maryland-bred horses participate) and owner awards from the Maryland-Bred Race Fund. This action is being proposed in conjunction with a proposed amendment to COMAR 09.10.10.14 (Purse Monies), which provides the racing commission with the discretion to direct that increased purse amounts be paid to Maryland-bred horses (as opposed to non-Maryland-bred horses), and thus to owners, trainers, and jockeys, finishing first, second, or third in all races other than claiming races with a price of under \$10,000 and stakes races. The intended result of these actions is to provide added incentives for breeders and stallion owners to operate in the State, and for individuals to purchase, and race, Maryland-bred horses in the State.</p>		Withdrawn.

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6/24/13	<p>Re: Emergency/Proposed Regulations DLS Control No. 160-13 Department of Transportation: Motor Vehicle Administration – Vehicle Registration Vehicle Registration Suspension and Nonrenewal for Failure to Pay Toll: COMAR 11.15.28.01-.06</p> <p>The purpose of this action is to amend regulations to update and clarify procedures to refuse the renewal, transfer or suspension of a vehicle registration for failure to pay a notice of toll in order to conform to House Bill 420, Chapter 113, Acts of 2013.</p>		Emergency status beginning September 1, 2013, and expiring February 27, 2014.
6-21-13	<p>Re: Emergency Regulation DLS Control No. 158-13 Department of Natural Resources: Fisheries Service: Oysters: COMAR 08.02.04.04</p> <p>Emergency status is requested because the tagging flexibility needs to be in place before the start of the season in October. Having the tagging rules effective in July gives the licensees the opportunity to learn about the requirements when they renew their license and then gives them time to order tags from the department or have their own tags printed.</p> <p>The purpose of this action is to increase tagging flexibility. Beginning in 2011, the department responded to new requirements from the Food and Drug Administration/National Shellfish Sanitation Program's shellstock identification and</p>		Emergency status beginning July 19, 2013, and expiring January 15, 2014.

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	<p>traceability mandate by implementing regulations requiring that bushels of oysters be tagged. By allowing some flexibility in tagging the department is trying to prevent a tag shortage, conserve resources, prevent inconveniences to the watermen, and ensure that oystermen have an opportunity to fish.</p> <p>The proposed action allows all harvesters that are also certified by the Maryland Department of Health and Mental Hygiene to utilize a dealer tag that meets the requirements stipulated in the National Shellfish Sanitation Program Model Ordinance in lieu of a department-issued harvester tag. The proposed action also makes it clear that an individual must use a wild oyster tag to tag a container of wild oysters and a farm raised tag to tag a container of farm raised oysters. This was implied because the regulation only allows one type of tag on board, but the added statements make it clear.</p> <p>For the wild oyster fishery, the proposed action allows harvesters to utilize a tag that meets the requirements stipulated in the National Shellfish Sanitation Program Model Ordinance in lieu of a department issued harvester tag. The specifications for the information that must be included on the tag are specified in the proposal. Watermen may make their own tags with the specified information rather than obtaining tags from the department. If a waterman prefers to get tags from the department (license service center) there will be a charge (fee) for the tags and possibly a delay in receiving the tags due to unavailability of stock.</p>		
6-20-13	Re: Emergency/Proposed Regulation DLS Control No. 145-13 Department of Health and Mental Hygiene:		Emergency status beginning July 19, 2013, and expiring December 27, 2013.

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	<p>Special Supplemental Nutrition Program For Women, Infants, And Children (WIC): Local Agency: COMAR 10.54.02.18</p> <p>The purpose of this action is to reflect changes in federal funding that will affect the amounts local agencies will be paid for providing WIC Program services. Participation categories used to determine base funding for local agencies have been changed, yielding a net increase in the total amount of base funding that will be paid to local agencies. Funding from the federal WIC Program Funding Grant has been decreased, hence reducing the funding amount awarded for each participant enrolled. In addition, a decrease in funding available from the Breastfeeding Peer Counselor Funding Grant will affect the amount local agencies will be paid to support breastfeeding through the use of breastfeeding peer counselors per pregnant or breastfeeding participant enrolled.</p>		
6-14-13	<p>Re: Emergency Regulations DLS Control No. 143-13 Department of Natural Resources: Fisheries Service: Fish: COMAR 08.02.05.01 and .02 Fishing in Nontidal Waters: COMAR 08.02.11.04 Gear: COMAR 08.02.25.01 and .02</p> <p>The purpose of this action is to clarify and consolidate rules pertaining to recreational fishing gear into one chapter of regulation. In 2011, the General Assembly passed House Bill 111, which required the department to consult with the Tidal Fisheries Advisory Commission (TFAC) and Sport Fisheries Advisory Commission (SFAC) to create regulations pertaining to</p>		

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	<p>recreational fishing gear and four commercial fishing gears. As required under this law, the department considered relevant biological, ecological, and socioeconomic factors in creating the proposed action. The department met with the TFAC and SFAC Gear Workgroup in May 2012 and scoped the proposed regulations in May 2013. The department will be further discussing the commercial gears with the TFAC before proposing a commercial gear regulation to address fish pots, bank traps, fyke nets and hoop nets.</p>		
6-13-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 142-13 Department of Transportation: Maryland Transportation Authority: Electronic Toll Collection and Toll Violation Enforcement: COMAR 11.07.07.01-.09</p> <p>The purpose of this action is to repeal existing regulations and adopt new regulations to clarify the process of electronic toll collection and toll violation enforcement pursuant to House Bill 420, Chapter 113 of 2013.</p> <p>0</p>		<p>Emergency status beginning September 1, 2013, and expiring February 27, 2014.</p>
6-13-13	<p>Re: Emergency Regulations DLS Control No. 141-13 Department of Budget and Management: Personnel Services and Benefits: State Employees' Health Benefits: COMAR 17.04.13.03 and .03-1</p> <p>Emergency regulations are necessary in order to implement eligibility changes to the State Employee and Retiree Health and Welfare Benefits Program in time for the Cafeteria Plan Year that begins July 1, 2013. Under the Civil Marriage Protection</p>		

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	<p>Act, same sex couples may now legally marry in Maryland, thus obviating the need to provide coverage for same sex domestic partners. These regulations will permit only domestic partners currently enrolled in the Program to continue their health benefits coverage until December 31, 2014, in order to provide them with a sufficient transition period. We are simultaneously submitting permanent regulations to fully repeal program eligibility for domestic partners of State employees and retirees and their children effective January 1, 2015.</p>		
6-12-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 140-13 Department of Transportation: Office of the Secretary: Public-Private Partnership Program: COMAR 11.01.17.01-.10</p> <p>The purpose of this action is to promulgate regulations to establish a Maryland Department of Transportation Public-Private Partnership Program to enhance the State's transportation systems, assets, services and infrastructure; and to describe and provide a process for the development, solicitation, evaluation, award and delivery of public-private partnerships in the department's program.</p>		
5-28-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 125-13 Department of Labor, Licensing, and Regulation: Racing Commission: Harness Racing: COMAR 09.10.02.43 and .53</p> <p>The purpose of this action is to increase the percentage paid out of the Maryland Standardbred Race Fund to breeders who</p>		<p>Emergency status beginning June 1, 2013, and expiring November 15, 2013.</p>

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	participate in the Maryland Standardbred Race Fund Foaled Stakes Program and the Sire Stakes Program when a horse participating in one of the programs receives purse money.		
5-15-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 116-13 Department of Health and Mental Hygiene: Food: Shellfish Sanitation: COMAR 10.15.07.02 and .06</p> <p>The purpose of this action is to (1) allow longer harvest times than currently established in regulation; (2) specify the harvest hours in relation to harvest start time; and (3) clarify a potential exemption for a shellfish aquaculture harvester permittee who is also a dealer.</p>		
5-7-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 112-13 Department of Natural Resources: Fisheries Service: Fish: COMAR 08.02.05.07 Endangered and Threatened Fish Species: COMAR 08.02.12.03</p> <p>The purpose of this action is to establish regulations for Atlantic menhaden. Menhaden have been found to be In Need of Conservation, and are being listed as such. The action also establishes a quota, season, license requirements, a bycatch allowance landing permit, a declaration period for the fishery, catch limits, and reporting requirements. The action also allows for the modification of catch limits, quotas, and seasons by public notice.</p> <p>The Atlantic menhaden fishery is managed cooperatively</p>		Emergency status beginning June 17, 2013, and expiring August 29, 2013.

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	<p>under the provisions of the Interstate Fishery Management Plan (FMP) for Atlantic Menhaden developed by the Atlantic States Marine Fisheries Commission (ASMFC). Amendment 2 to the Plan was approved in December 2012, establishing a total allowable catch (TAC) for the fishery that resulted in a 20% reduction from the average landings from 2009-2011. New biological reference points were also adopted for biomass with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species. The Amendment also included provisions for the transfer of quota between states and a bycatch allowance of 6,000 pounds for non-directed fisheries that are operating after a state TAC has been landed. In Maryland, this will allow the continued use of pound nets even after the state TAC has been landed. The Amendment also establishes requirements for reporting and improved biological monitoring. This action will keep Maryland in compliance with the ASMFC FMP for Atlantic menhaden.</p>		
4-25-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 92-13 Department of Health and Mental Hygiene: Procedures: Fees for Community Health Programs: COMAR 10.01.17.02 Sanitation: Public Swimming Pools and Spas: COMAR 10.17.01.05</p> <p>The purpose of this action is to is to (1) establish a lower construction permit application fee for minor alterations; (2) define “major alteration”; (3) define “minor alteration”; and (4) correct the definitions of “public pool”, “recreational pool”, “semi-public pool” and “semi-public spa” to include the correct references to “semi-public pool” or “semi-public spa.”</p>		<p>These Emergency/Proposed Regulations are withdrawn.</p>

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4-9-13	<p>Re: Emergency/Proposed Regulations Control No. 81-13 Maryland State Lottery and Gaming Control Agency: Gaming Provisions: Enforcement: COMAR 36.03.04.01-.10</p> <p>The purpose of this action is to update the regulations of the State Lottery and Gaming Control Agency to incorporate provisions to better conform to the agency's functions and specifically for stricter enforcement requirements related to the expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012.</p>		Emergency status beginning July 19, 2013, and expiring October 15, 2013.
4-4-13	<p>Re: Emergency/Proposed Regulations Control No. 75-13 Maryland State Lottery and Gaming Control Agency: Table Games: Ultimate Texas Hold ‘Em Rules: COMAR 36.05.16.01-.13 Mini Baccarat Rules: COMAR 36.05.17.01-.13</p> <p>The purpose of this action is to update Regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of Table Games operations.</p>		Emergency status beginning May 8, 2013, and expiring October 11, 2013.
3-28-13	<p>Re: Emergency/Proposed Regulations Control No. 70-13 Maryland State Lottery and Gaming Control Agency: Table Games: Pai Gow Tiles Rules: COMAR 36.05.15.01-.10</p>		Emergency status beginning May 8, 2013, and expiring October 11, 2013.

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	<p>The purpose of this action is to update Regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of Table Games operations.</p>		
3-28-13	<p>Re: Emergency Regulations DLS Control No. 65-13 Department of Budget and Management: Personnel Services and Benefits: State Employees’ Health Benefits: COMAR 17.04.13.03, and .03-1</p> <p>Emergency regulations are necessary in order to implement eligibility changes to the State Employee and Retiree Health and Welfare Benefits Program in time for the Cafeteria Plan Year that begins July 1, 2013. Under the Civil Marriage Protection Act same sex couples may now legally marry in Maryland, thus obviating the need to provide coverage for same sex domestic partners. These regulations will permit only domestic partners currently enrolled in the Program to continue their health benefits coverage until December 31, 2013 in order to provide them with a sufficient transition period. We are simultaneously submitting permanent regulations to fully repeal Program eligibility for domestic partners of State employees and retirees and their children effective January 1, 2014.</p>		
3-14-13	<p>Re: Emergency/Proposed Regulations DLS Control No. 52-13 Department of Health and Mental Hygiene: Board of Pharmacy: Licensing of Wholesale Prescription Drug or Device Distributors:</p>		Emergency request withdrawn April 25, 2013.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p>COMAR 10.34.22.02, .03, .03-1, .05, and .09-.11</p> <p>The purpose of this action is to revise COMAR 10.34.22 to comply with statutory requirements as amended by SB 133/HB 316 State Board of Pharmacy – Wholesale Distributor Permits – Application Requirements (2012). The revisions include: adding definitions for “ANDA,” “NDA,” and “UDI” numbers. Other new definitions include “cease to operate,” “central repository,” “virtual manufacturer” and “retail pharmacy.” Retail pharmacy was defined to include both retail and waiver pharmacies so that pharmacies in Maryland may only wholesale distribute 5% or less of the retail pharmacy’s annual sales. Revisions have been made: concerning criminal background checks so that applicants may submit their request for criminal background checks directly to the central repository instead of to the board; adding a section that requires out of state applicants to obtain criminal background checks from the state in which they are located; and revising the inspection requirement so that only entities that hold product are required to be inspected. The proposed action also includes three new regulations which clarify procedures. The new Regulation .09 addresses reinstatement for expired wholesale distributor permits. The new Regulation .10 addresses required information and procedures for closing. The new Regulation .11 addresses relocation requirements. Finally, the proposal includes a corrective revision to Regulation .05 Violations and Penalties that clarifies distributing a prescription drug or device to a consumer or patient is a violation of the law.</p>		
3-14-13	<p>Re: Extension of Emergency Regulations DLS Control No. 53-13 Department of Housing and Community Development: Homebuyer Education and Counseling: Housing Counseling Certification in Prefile Mediation: COMAR 05.19.02.01-.04</p>		Emergency status expires September 30, 2013.

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	<p>The emergency regulations will expire on March 30, 2013. The department is in the process of preparing proposed regulations for submission.</p>		
3-5-13	<p>Re: Emergency/Proposed Regulation DLS Control No. 41-13 Department of Labor, Licensing, and Regulation: Racing Commission: Thoroughbred Rules: COMAR 09.10.01.07</p> <p>The purpose of this action is to restrict a horse from participating in a claiming race for a price less than the price for which the horse was claimed, to allow the owner of a horse to declare a horse ineligible to be claimed if the horse has not run for a period of time and certain conditions are satisfied, and to prohibit a person from claiming more than one horse in a race.</p>		<p>Emergency status beginning April 4, 2013, and expiring September 1, 2013.</p>
2-5-13	<p>Re: Emergency Regulation DLS Control No. 14-13 Comptroller of the Treasury: Sales and Use Tax: Sales and Use Tax: COMAR 03.06.01.44</p> <p>The emergency status expired December 6, 2011 and proposed action published June 7, 2011 was not finalized and was withdrawn by operation of law. Tax-Free weekend will occur this year February 16 through February 18.</p>		
2-5-13	<p>Re: Emergency/Proposed Regulations Control No. 13-13 Maryland State Lottery Agency: Table Games: Poker Rules: COMAR 36.05.06.01-.18 Roulette Rules: COMAR 36.05.07.01-.06 Big Six Wheel Rules: COMAR 36.05.08.01-.03</p>		<p>Emergency status beginning March 1, 2013, and expiring August 23, 2013.</p>

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	<p>Four Card Poker Rules: COMAR 36.05.09.01-.13 Midi Baccarat Rules: COMAR 36.05.10.01-.13 Mississippi Stud Rules: COMAR 36.05.11.01-.13 Pai Gow Poker Rules: COMAR 36.05.12.01-.14 Texas Hold'Em Rules: COMAR 36.05.13.01-.13 Three Card Poker Rules: COMAR 36.05.14.01-.13</p> <p>The purpose of this action is to update regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of Table Games operations.</p>		
1-11-13	<p>Re: Extension of Emergency Regulation DLS Control No. 09-13 Department of Labor, Licensing, and Regulation: Racing Commission: Thoroughbred Rules: COMAR 09.10.01.64</p> <p>The purpose of this action is to fix an incorrect expiration date listed. The commission asked that the emergency regulation expire on June 30, 2013, but the approval by AELR was only for the month of January 2013.</p>		Emergency status beginning January 30, 2013, and expiring June 20, 2013.
1-7-13	<p>Re: Emergency/Proposed Regulations Control No. 04-13 Maryland State Lottery Agency: Table Games: General: COMAR 36.05.01.01-.02 Table Game Equipment: COMAR 36.05.02.01-.19 Table Game Procedures: COMAR 36.05.03.01-.24</p>		Emergency status beginning March 1, 2013, and expiring July 20, 2013.

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	<p>Blackjack Rules: COMAR 36.05.04.01-.14 Craps Rules: COMAR 36.05.05.01-.11</p> <p>The purpose of this action is to update regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of Table Games operations.</p>		
1-7-13	<p>Re: Emergency/Proposed Regulations Control No. 03-13 Maryland State Lottery Agency: Video Lottery Terminals: Video Lottery Technical Standards: COMAR 36.04.01.01-.32 Video Lottery Terminal Machines: COMAR 36.04.02.01-.02</p> <p>The purpose of this action is to update regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of Table Games operations.</p>		Emergency status beginning March 1, 2013, and expiring July 20, 2013.
1-7-13	<p>Re: Emergency/Proposed Regulations Control No. 02-13 Maryland State Lottery Agency: Gaming Provisions: (1) General: COMAR 36.03.01.01-.04 (2) Investigation and Licensing: COMAR 36.03.02.01-.18 (3) Video Lottery Operation License: COMAR 36.03.03.01-.09</p>		Emergency status beginning March 1, 2013, and expiring July 20, 2013.

Date Received	Title and Summary	Public Hearing Scheduled, *if any	Date & Summary of any action
	<p> (4) Enforcement: COMAR 36.03.04.01-.07 (5) Unannounced Inspections: COMAR 36.03.05.01-.03 (6) Enforcement of Voluntary Exclusion Program: COMAR 36.03.06.01-.03 (7) Mandatory Exclusion: COMAR 36.03.07.01-.08 (8) Collection of Taxes, Fees and Penalties: COMAR 36.03.08.01-.04 (9) Junkets: COMAR 36.03.09.01-.02 (10) Video Lottery Facility Minimum Internal Control Standards: COMAR 36.03.10.01-.49 (11) Facility Standards: COMAR 36.03.11.01-.08 (12) Transportation and Testing of Video Lottery Terminals and Table Game Equipment: COMAR 36.03.12.01-.06 </p> <p> The purpose of this action is to update regulations of the State Lottery and Gaming Control Agency to incorporate provisions for expanded gambling contained in Senate Bill 1 – 2012 Second Special Session and passed by referendum on November 6, 2012, specifically to include provisions necessary for the implementation of table game operations. </p>		